

**IN THE UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF NEW YORK**

JAMES OWENS, et al.

Plaintiffs,

v.

TALIBAN a/k/a ISLAMIC EMIRATE OF
AFGHANISTAN,

Defendant.

Civil Action No. 22-cv-1949 (VEC)

[UPDATED PROPOSED] ORDER TO SHOW CAUSE

Upon the Declaration of Matthew D. McGill in Support of Entry of Default Judgment (“McGill Declaration”), the supporting papers submitted therewith, the Supplemental Declaration of Matthew D. McGill in Support of Entry of Default Judgment (“Supplemental McGill Declaration”), the appendix thereto, and the complaint in this action (Dkt. 7), it is hereby:

ORDERED that Defendant Taliban a/k/a Islamic Emirate of Afghanistan (“Defendant”) show cause before the Honorable Valerie E. Caproni, at the United States Courthouse, 40 Foley Square, New York, N.Y. 10007, on the ____ day of _____, 2023, at ____ .m., why an order should not be entered, (i) entering default judgment against Defendant pursuant to Rule 55(b) of the Federal Rules of Civil Procedure and Local Civil Rule 55.2(b); (ii) adjudging Defendant liable for Plaintiffs’ claims under the Anti-Terrorism Act, the Alien Tort Statute, and state tort law; (iii) awarding Plaintiffs damages in the amounts reflected in the table appended to the Supplemental McGill Declaration and included in the Updated Proposed Default Judgment; and (iv) granting such other relief as the Court deems just and proper.

IT IS FURTHER NOTED that, although “[n]o service is required on a party who is in default for failing to appear,” Fed. R. Civ. P. 5(a)(2), in accordance with Local Civil Rule 55.2(c), copies of this Proposed Order to Show Cause, the McGill Declaration, the appendix thereto and accompanying

exhibits, and the Proposed Default Judgment were sent to Defendant via delivery service at the following address: Embassy of Afghanistan, West Bay, Isteolal Street, P.O. Box 22104, Doha, Qatar on July 14, 2022. Proof of mailing was filed with the Court.

IT IS FURTHER NOTED that copies of this Updated Proposed Order to Show Cause, the Supplemental McGill Declaration, the appendix thereto, and the Updated Proposed Default Judgment were sent to Defendant via delivery service at the following address: Embassy of Afghanistan, West Bay, Isteolal Street, P.O. Box 22104, Doha, Qatar on March 6, 2023. Proof of mailing was filed with the Court.

IT IS FURTHER ORDERED that, if Defendant intends to file opposition papers, it shall file such papers with this Court on or before _____, 2023, and shall serve copies of such papers by overnight mail upon Matthew D. McGill, Gibson, Dunn & Crutcher LLP, 1050 Connecticut Ave. N.W., Washington, D.C. 20036, on or before _____, 2023.

SO ORDERED.

DATED: _____

Hon. Valerie E. Caproni
United States District Court for the
Southern District of New York